

## REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 21 and 22 are pending in this application. Claims 21 and 22 are independent and are hereby amended. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. Support for this amendment is provided throughout the Specification as originally filed.

No new matter has been introduced by this amendment. Changes to claims are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

### II. SUPPORT FOR AMENDMENTS

Support for the amendments made herein is found in the as-filed specification and, for example, in Publ. App. par. [0139], [0162]-[0165] and FIGS. 9-10

### III. CLAIM OBJECTIONS

The Office Action objected to claims 21 and 22 for informalities.

Applicants note the cited objection was not found in claim 22.

Claim 21 has been amended to overcome the objection.

Applicants respectfully request withdrawal of the objection to claim 21.

#### IV. OBJECTIONS TO THE SPECIFICATION

The Office Action objected to the specification as allegedly not providing proper antecedent basis for the claimed, “computer-readable medium.”

Applicants respectfully traverse this objection and point to the as-filed application, which included now canceled claims 10-13 and 17-19. Claim 10 is representative and recited, *inter alia*:

“**An information recording medium wherein a program** for allowing computer to function as said information picture utilization apparatus . . . **is recorded.**”  
(emphasis added)

The wording in claim 22 has been made to comport with recent PTO rules regarding devices having computer programs recorded thereon. However, the language of the claims as originally filed makes clear that applicants had possession of the claimed invention as would be understood by one of ordinary skill in the art.

Applicants respectfully request withdrawal of the objection to the specification.

#### V. REJECTIONS UNDER 35 U.S.C. § 103

Claims 20 and 21 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 7,039,599 to Merriman et al. (“Merriman”) in view of U.S. Patent No. 6,308,202 to Cohn et al. (“Cohn”).

Applicants respectfully traverse these rejections.

Claim 22 is representative and recites, *inter alia*:

“receiving an information picture, the information picture including a picture image , related information, and time limit information as a single handling unit”

The “information picture“ is related information which forms basis to cause a predetermined operation when specific operation instruction is given and picture information are caused to be one handling unit. Publ. App. par. [0084].

The “related information” is information including information which forms the basis of corresponding operation to allow the operator to carry out specific operation with a picture image as a guide. MPEP 2111.01(IV); see, also, *Phillips v. AWH Corp.*, 415 F.3d 1303, 1319 (Fed. Cir. 2004) (“Claims are construed in light of the specification, of which they are a part”).

In addition, to the “related information,” the information picture also includes “time limit” information. “Time limit” information is separate from the “related information” as described in the as-filed specification. Again, “time limit” information is defined in the specification at Publ. App. par. [0163]. *Phillips*.

FIG. 9 shows information picture with time limit information which differs from the “related information” as discussed above. Time limit information is information for prescribing valid time limit (effective time period) of this information picture and allows operation of the information picture to be disabled after time period is passed, allow information to be transmitted to the management server, or operation log of information picture to be invalid, or make prescribing operation so that a certain predetermined operation is first enabled after time period is passed. Among them, particularly in the case of allowing operation of information picture to

be disabled after time period is passed, or allowing information to the management server of operation log of information picture to be invalid, the time limit information functions as lifetime information. Similarly to the related information, this time limit information also arranged as it is after processing is implemented within the comment expansion portion so that it is collected as one picture information. Thus, as the result of this, picture information as data stream can include related information or identifier therewithin.

Applicants have provided definitions for the claim terms and amended the claims to avoid the Merriman and Cohn references.

For reasons similar or somewhat similar to those recited above regarding claim 22, claim 21 is also patentable.

### **CONCLUSION**

Because Applicant maintains that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicant reserves the right to address such comments.

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

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